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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,470	12/20/2005	Zenon Stanislaw Koplin	NL 030802	8237

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BRIARCLIFF MANOR, NY 10510

EXAMINER

DIAZ, JOSE

ART UNIT	PAPER NUMBER
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2879

MAIL DATE	DELIVERY MODE
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09/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/561,470	KOPLIN ET AL.	
	Examiner	Art Unit	
	José M. Diaz	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 December 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 December 2005 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: (14), page 5, line 2 of the specifications, claim 6, line 4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by **Dodd et al. (5742982), hereinafter Dodd.**

Regarding **claim 1**, Dodd clearly show and disclose a stabilizing device (86) that comprises at least one plastic holder provided with at least two separate contact surfaces (cylindrical cavities (102)) (figs. 2, 4 & 5, abstract, column 5, lines 52-54, the holder is made of a soft rubbery plastic).

In regards to the recitation “for reinforcing a burner part of a fluorescent lamp comprising a number of glass tubes connected by at least one bridge part so as to form a discharge path through the tubes between two electrodes which are each provided in one of the tubes” is directed to an intended use of the stabilizing device, which does not structurally define the stabilizing device over the prior art of record.

Regarding **claim 2**, Dodd clearly show and disclose that at least one of the contact surfaces (cylindrical cavities (102)) forms a housing, the housing having an aperture to give access to the housing, which opening has a width that is smaller than a maximum clearance provided in the housing (figs. 2, 4, & 5,).

Regarding **claim 3**, Dodd clearly show and disclose that the stabilizing device (86) is made of a flexible material and the contact surface (cylindrical cavities (102)) forms a housing to snap-fit on a part (cable) (figs. 3-5, column 4, lines 14-17).

Regarding **claim 4**, Dodd clearly show and disclose that the stabilizing device (86) comprises at least one bumper part (96) that projects from the stabilizing device (86) (fig. 4, column 4, lines 4-6).

Regarding **claim 5**, the claim is directed to the method of manufacturing a stabilizing device, in view of an absent of a showing that the method imparts distinctive structural characteristics to the final product, the limitations directed to the method of manufacturing are not germane to the issue of patentability of the device.

Claims 1 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by **Hermes et al. (4777405), hereinafter Hermes.**

Regarding **claim 1**, Hermes clearly show and disclose a stabilizing device (22) that comprises at least one plastic holder (12) provided with at least two separate contact surfaces (at 14) (figs. 3, & 4, column 2, line 64-68, the holder is made of a polycarbonate synthetic material).

In regards to the recitation "for reinforcing a burner part of a fluorescent lamp comprising a number of glass tubes connected by at least one bridge part so as to form a discharge path through the tubes between two electrodes which are each provided in one of the tubes" is directed to an intended use of the stabilizing device, which does not structurally define the stabilizing device over the prior art of record.

Regarding **claim 7**, Hermes clearly show and disclose a fluorescent lamp with a burner part (1) comprising a number of glass tubes (4, 5, 6 and 7) connected by at least one bridge part (8 or 9) so as to form a discharge path through the tubes (4, 5, 6 and 7) between two electrodes, (9) and (10) which are each provided in one of the tubes (4 and 5), characterized in that the fluorescent lamp also comprises a stabilizing device (22), the stabilizing device (22) being connected to the burner part (1) of the fluorescent lamp in a dimensionally stable manner, thus stabilizing the burner part (1) (figs. 3, & 4, column 2, line 28-45, column 2, line 64-68).

Regarding **claim 8**, Hermes clearly show and disclose that the fluorescent lamp is characterized in that the stabilizing device (22) is connected to the burner part (14) of the fluorescent lamp in a dimensionally stable manner without exerting a pre-load on the burner part (14) (figs. 3, & 4, column 3, line 2-3).

Regarding **claim 9**, Hermes clearly show and disclose that the fluorescent lamp is characterized in that the stabilizing device (22) is located on the burner part (14) opposite to the side of the burner part (14) connected to a lamp base (7) (figs. 3, & 4, column 2, line 64-68).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- a. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Dodd et al. (5742982)**, hereinafter **Dodd**, as applied to claim 1 above, in view of **Wilder et al. (4606735)**, hereinafter **Wilder**.

Regarding **claim 6**, Dodd clearly shows and discloses the claim invention.

However, Dodd fails to disclose that the stabilizing device also comprises a light-influencing device.

In the same field of endeavor, Wilder clearly show and disclose a stabilizing device (10) that also comprises a light-influencing device (transparent flexible strip (10) and wings (11) and (12)) (figs 1-5, column 2, line 66 through column 3, line 4, column 3, lines 28-29), assembled so as to not interfere with the path of light.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a light-influencing device as taught by Wilder in the device of Dodd so as to form the device from a transparent plastic, in order for it to not interfere with the path of light so that the color of the engaged object can be seen though the bumper part.

Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hermes et al. (4777405)**, hereinafter **Hermes**:

Regarding **claim 10**, Hermes clearly shows and discloses that the fluorescent lamp is characterized in that the fluorescent lamp is provided with stabilizing device (22) for reinforcing a burner part (1) of a fluorescent lamp comprising a number of glass tubes (4, 5, 6 and 7) connected by at least one bridge part (8, 9, or 9a) so as to form a discharge path through tie tubes (4, 5, 6 and 7) between two electrodes (10 and 11)

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which are each provided in one of the tubes (4 and 6), characterized in that the stabilizing device (22) comprises at least one plastic holder provided with at least two separate contact surfaces (14) shaped to fit the burner part (1) of the fluorescent lamp in at least two separate locations (14).

However, Hermes fails to disclose that the fluorescent lamp is provided with at least two stabilizing devices. It is considered within the capabilities of one skilled in the art to incorporate a second stabilizing device on the bridge part at the base of the burner part as an obvious matter of design engineering, in order to provide the fluorescent lamp with a better and stronger structural arrangement, since such modification require a mere duplication of the essential working parts of a device.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a fluorescent lamp with at least two stabilizing devices in the device of Hermes, in order to provide the fluorescent lamp with a better and stronger structural arrangement.

Regarding **claim 11**, Hermes clearly show and disclose that the fluorescent lamp is characterized in that the fluorescent lamp is provided with a stabilizing device (22) carrying a light-influencing device (14) (figs. 3, & 4, column 2, line 64-68).

Regarding **claim 12**, Hermes clearly show and disclose a method for reinforcing a burner pat (1) of a fluorescent lamp comprising a number of glass tubes (4, 5, 6 and 7) connected by respective bridge parts (8) and (9) so as to form a discharge path through the tubes (4, 5, 6 and 7) between two electrodes (10) and (11) which are each provided in one of the tubes (4, 5, 6 and 7), characterized in that, after the burner part

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(1) of the fluorescent lamp has been manufactured through connection of a number of glass tubes (4, 5, 6 and 7) to at least one bridge part (8) or (9), said bridge part (8) or (9) is provided with a stabilizing device (22) (figs. 3, & 4, column 2, line 28-45, column 2, line 64-68).

Regarding **claim 13**, Hermes clearly shows and discloses the method is characterized in that the stabilizing device (22) is connected to the burner part (1) of the fluorescent lamp by a snap connection (figs. 3, & 4, column 2, line 68, through column 3, line 2).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hermes et al. (4777405)**, hereinafter **Hermes**, in view of **Wursching et al. (20070063656)**, hereinafter **Wursching**.

Regarding **claim 11**, Hermes clearly shows and discloses the claim invention.

However, Hermes fails to disclose that the fluorescent lamp is provided with a stabilizing device carrying a light-influencing device.

In the same field of endeavor, Wursching clearly show and disclose a fluorescent lamp that is characterized in that the fluorescent lamp is provided with a stabilizing device (13) carrying a light-influencing device (2) (fig. 1, ¶ [0027]), in order to form a thermal isolating means.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a stabilizing device carrying a light-

influencing device as taught by Wursching in the device of Hermes, in order to form a thermal isolating means.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 7009334 B2

US 20040182972 A1

US 6109569 A

US 4527088 A

US 4244542 A

Any inquiry concerning this communication or earlier communications from the examiner should be directed to José M. Diaz whose telephone number is 571-272-9822. The examiner can normally be reached on 7:00 - 5:00 EST Monday-Thursday; Fridays off.

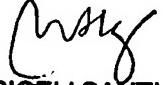
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



José M. Díaz
Examiner
Art Unit 2879

JMD



MARICELI SANTIAGO
PRIMARY EXAMINEP